

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 06-11-03 Item #:
C.C. 06-17-03

File Number
C03-044

Application Type
Director-Initiated Conforming Rezoning

Council District SNI
3 13th Street

Planning Area
Central

Assessor's Parcel Number(s)
249-45-043

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Akoni Danielsen

Location: West side of North 5th Street approximately 390 feet southerly of East Empire Street

Gross Acreage: 0.15

Net Acreage: 0.15

Net Density: 7 DU/AC

Existing Zoning: LI Light Industrial

Existing Use: Vacant historic structure

Proposed Zoning: R-2 Residence

Proposed Use: Use of historic structure as single family residence

GENERAL PLAN

Completed by: AD

Land Use/Transportation Diagram Designation
Medium Density Residential (8-16 DU/AC)

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: AD

North: Single Family Residential

R-M Residence

East: Single Family Residential

R-M Residence

South: Industrial storage yard, Railroad tracks

LI Light Industrial

West: Single Family, Duplex Residential

R-2 Residence

ENVIRONMENTAL STATUS

Completed by: AD

☒ Environmental Impact Report found complete (GP 2020 EIR certified 8/16/1994, Resolution # 65459).

☐ Exempt

☐ Negative Declaration circulated on

☐ Environmental Review Incomplete

☐ Negative Declaration adopted on

FILE HISTORY

Completed by: AD

Annexation Title: Original City

Date: March 27, 1850

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval

Date:

Approved by: _____

☐ Approval with Conditions

☐ Action

☐ Denial

☒ Recommendation

☐ Uphold Director's Decision

OWNER

Saeid Pourabdollah
1522 Ardenwood Dr
San Jose, Ca 95129-3853

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: AD**Department of Public Works**

None received.

Other Departments and Agencies

None received.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The Director of Planning has initiated a rezoning of the subject 0.15 gross-acre site from the LI Light Industrial Zoning District to the R-2 Residence Zoning District to bring the zoning into conformance with the General Plan's Medium Density Residential (8-16 DU/AC) designation of the site. One parcel is involved in the proposed rezoning, developed with an historic single family residence. This Italianate residence, built circa 1874 is listed on the San Jose Historic Resources Inventory as a Contributing Structure to the local and National Register Hensley Historic District.

The structure is currently boarded-up and unoccupied. The owner, Saeid Pourabdollah, seeks to rehabilitate and add on to the historic single-family house. He has previously applied for and the Director of Planning issued an Historic Preservation Permit (HP02-019) and Single Family House Permit (SF02-045) for the rehabilitation and a minor, single-story rear addition. He also intends to construct a two-car detached garage.

The surrounding land uses are: Single-family detached residential to the north, an industrial storage yard and railroad tracks to the south, single-family detached residential to the east across North 5th Street and duplex and single-family residential to the west.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed by a Final EIR entitled, "San José 2020 General Plan EIR," which was certified on August 16, 1994, by the City of San José City Council, Resolution Number 65459.

GENERAL PLAN CONFORMANCE

The San Jose 2020 General Plan Land Use/Transportation Diagram designation for the subject parcel is Medium Density Residential (8-16 DU/AC). The proposed R-2 Residence Zoning District conforms to this designation.

The proposed rehabilitation of the historic residence is consistent with General Plan Historic Preservation policies and with the Strong Neighborhoods Initiative Washington Neighborhood Revitalization Plan in that it will help to preserve the character of the neighborhood.

ANALYSIS

The proposed rezoning to R-2 Residence District will replace the existing light industrial zoning and bring the property's zoning into conformance with the General Plan. New residential uses are prohibited in the current light industrial zoning. The rezoning will facilitate the property owner's rehabilitation and occupation of the existing vacant historic residence. The existing structure at the site conforms to the setbacks and height restrictions of the proposed R-2 Residence Zoning District, and the use of the structure as a single family residence would be a permitted use in the zoning district. A duplex is also an allowed use and conversion of the structure to a duplex would require a Site Development Permit, subject to public notice and community input, and further environmental review.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the proposal with members of the public.

RECOMMENDATION

Planning staff recommends approval of the proposed zoning for the following reasons:

1. The proposed rezoning is in conformance with the General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC).
2. The proposed rezoning will facilitate rehabilitation and occupation of the existing vacant historic residence, consistent with General Plan Historic Preservation policies and the goals and policies of the 13th Street SNI Plan.

Attachments